REMARKS

In the Office Action dated July 14, 2009, claims 21-26 were pending in the application. Claims 1-20 were previously canceled. Claims 21-25 are amended to clarify the inventive concepts. Claims 27-31 are added. As a result, claims 21-31 are pending in the application. Support for the amendments and new claims may be found in FIG. 4 and beginning at least on page 6 of the detailed description of the invention. Reconsideration and allowance of the pending claims is respectfully requested.

Rejection under 35 USC § 112

Claim 22 has been amended to overcome the rejection under 35 USC 112. Reconsideration of claim 22 is respectfully requested.

Rejection under 35 USC § 103

Claims 21-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable by Norcott et al. and further in view of Ahmad et al. and Fish et al. Applicant respectfully traverses this rejection and reaffirm arguments presented in past responses.

The claims have been amended to more clearly claim the separate structure and operation of the data network and the coaxial cable network in the system of claim 21.

In relevant part, independent claim 21 recites:

> A system for managing the display of media on a plurality of media systems of a facility, the system comprising:
> a data stream source operable to store audio-visual files in digital format including multiple instances of each of the audio-visual files for simultaneous access by a plurality of media players;
> a first decoder in communication with the data stream source and operable to receive a first audio-visual file selected from the audio-visual files, the first decoder further operable to convert the first audio-visual file into a first analog signal;
> a second decoder in communication with the data stream source and operable to receive a second audio-visual file selected from the audio-visual files, the second decoder further operable to convert the second audio-visual file into a second analog signal, each of the first decoder and the second decoder

communicating with the data stream source through a separate communications channel;

a controller in communication with the data stream source through a data network and operable to select the first audio-visual file in response to a selection made by a user through a user interface provided by the controller, the user interface communicates prompts and selections to the user through one of the plurality of media players, the user interface including a phone interface and a computer interface to the controller, the selection of the first audio-visual file being made in response to the controller communicating with the first decoder using an infrared signal, the controller being further operable to select a second audio-visual file, the selection of the second audio-visual file being made in response to the controller communicating with the second decoder using an infrared signal, wherein streams of the audio-files from the data stream source are not communicated through the data network;

a first modulator in communication with the first decoder and operable to receive the first analog signal and modulate the first analog signal for communication over a first coaxial cable;

a second modulator in communication with the second decoder and operable to receive the second analog signal and modulate the second analog signal for communication over a second coaxial cable, the first coaxial cable and the second coaxial cable are part of a coaxial cable network separate from the data network; and

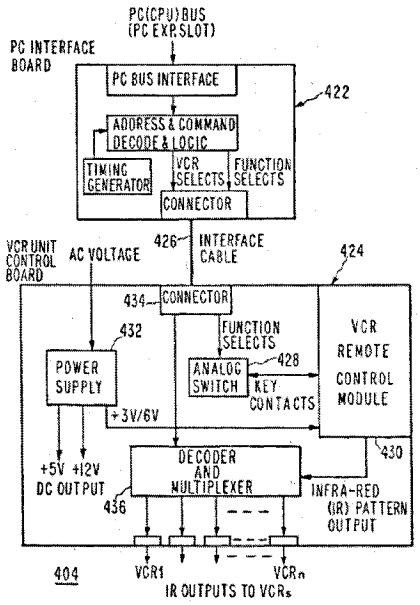
a combiner in communication with the first modulator and the second modulator, the combiner operable to combine the first analog signal and second analog signal into a combined analog signal, each of the first decoder and second decoder being associated with a dedicated channel in the combined analog signal, a plurality of dedicated channels available to each of the plurality of media players through the coaxial cable network, one or more of the plurality of media players decoding the first analog signal and the second analog signal from the combined analog signal.

Claim 21 is clearly unlike Norcott, which fails to suggest, teach or disclose "a controller in communication with the data stream source through a data network…wherein streams of the audio-files from the data stream source are not communicated through the data network…the first coaxial cable and the second coaxial cable are part of a coaxial cable network separate from the data network…a plurality of dedicated channels available to each of the plurality of media players through the coaxial cable network." The Examiner has previously noted that Norcott teaches that "communications channel 14 may be a coaxial cable…a dedicated Internet line…a telephone line capable of transmitting modem or voice signals, a wireless, cellular, or other RF channel, or any other communications channel…" (See Office Action mailed 7/14/09, p. 4). Norcott does not teach the separate functions and utility of the "data network" and the "coaxial cable network." Merely showing that a communications channel may be any number of types does not teach the

claim language that "streams of the audio files from the data stream source are not communicated through the data network" nor the other recited claim elements. Importantly, Norcott, the primary reference cited by the Examiner, appears to suffer from one or more of the exact same problems as the prior art system discussed in the application, such as, for example, utilizing a local area data network to distribute media files through a facility, requiring the use of significant bandwidth on such a network. (Norcott, col. 4, lines 1-4, 44-61). Thus, Norcott does not solve the problem addressed by the claims of the present invention.

Norcott and Ahmad alone and in combination fail to suggest, teach or disclose "a first decoder in communication with the data stream source and operable to receive a first audio-visual file selected from the audio-visual files, the first decoder further operable to convert the first audio-visual file into a first analog signal." The Office Action notes that Norcott "...does not explicitly teach a method for incorporating additional decoders as a means to access content..." and then goes on to cite the ICM of Ahmad teaches multiple decoders. (See Office Action mailed 7/14/09, p. 3) The Examiner has erroneously asserted that the ICM 206 of Ahmad may be combined with Norcott to teach the first decoder and second decoder claimed by Applicants. The ICM is not a decoder, the In-room Control Module, ICM(s), is utilized to receive requests from a user and also tunes to specific channels. (col. 2, lines 12-28). The ICM teaches an intermediary device for receiving and relaying commands, the reference example as shown in FIG. 6. Please note that there is no reference to a decoder. The ICMs of Ahmad do not teach, suggest or disclose "a first decoder in communication with the data stream source and operable to receive a first audio-visual file selected from the audio-visual files, the first decoder further operable to convert the first audio-visual file into a first analog signal" nor the claim language for the "second decoder." Ahmad does teach a single decoder and multiplexer in the control board of Fig. 5c. (see decoder and multiplexer 436 shown below).

FIG.5c



However, Ahmad teaches the following with regard to the decoder and multiplexer 436, "The infrared signal is then routed to decoder and multiplexer 436. Using the address information, decoder and multiplexer 436 sends the infrared signal generated by remote control 430 to the selected audio/video source." (Ahmad, col. 6, lines 25-34). The decoder and multiplexer is only utilized to route infrared signals from a remote control and does not "receive a first audio-visual file selected from the audio-visual files, the first decoder further operable to convert the first audio-visual file into a first analog signal" as claimed by Applicants. As a result, the decoder and multiplexer of Ahmad similarly does not teach the first decoder or second decoder as claimed by Applicants.

The previous Office Actions referencing the combination of Norcott and Fish do not address the controller and corresponding elements as claimed by Applicants. Applicants have reviewed the previous Office Actions and found that the rejection of the controller is not supported by the references or justifiable arguments. For example, none of the cited references teach the controller as indicated by claim 21, including (emphasis added):

> "a controller in communication with the data stream source through a data network and operable to select the first audio-visual file in response to a selection made by a user through a user interface provided by the controller, the user interface communicates prompts and selections to the user through one of the plurality of media players, the user interface including a phone interface and a computer interface to the controller, the selection of the first audio-visual file being made in response to the controller communicating with the first decoder using an infrared

> signal, the controller being further operable to select a second audio-visual file, the selection of the second audio-visual file being made in response to the controller communicating with the second decoder using an infrared signal, wherein streams of the audio-files from the data stream source are not communicated through the data network."

For example, the content and administration server of Norcott does not teach the elements of the controller. Norcott notes that the server "should be capable of storing, accessing, and distributing computer applications, data, video, and audio." The controller as claimed by Applicants does not store the audio visual files, but rather access the data stream source to "select the first audio-visual file." Further, the emphasized claim language shown above is not taught by Norcott or Ahmad. This defect in the rejection was noted in the previous response. As a result, the current rejection under U.S.C 103 is incomplete.

The preceding Office Actions referencing the combination of Norcott and Fish do not adequately teach, suggest, or disclose the controller, decoders, or modulators (or their operations and communications) in such a manner that makes claim 21 obvious. Applicants respectfully request that the Examiner reconsider and allow the claims as currently amended.

CONCLUSION

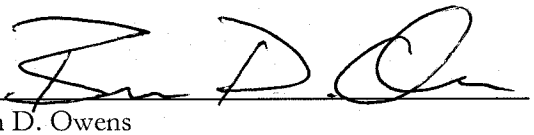
Applicant respectfully submits that the pending, non-withdrawn claims, claims 21-30 are in condition for full and immediate allowance and the same is respectfully requested.

This response is being filed as part of a Request for Continuing Examination (RCE). Although Applicant believes that no additional fee is due beyond those made with the RCE, to provide for the possibility that Applicant has overlooked the need for a fee, including a fee for an extension of time under 37 C.F.R. 1.136(a), the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 19-3140, under Order No. 11000060-0047, of Sonnenschein Nath & Rosenthal LLP.

The Examiner is invited to call the undersigned at the below-listed telephone number if, in the opinion of the Examiner, such a telephone conference would expedite or aid the prosecution and examination of this application.

Dated: 12/14/09

Respectfully submitted,

By: 

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